

STATE OF CALIFORNIA
FISH AND GAME COMMISSION
INITIAL STATEMENT OF REASONS FOR REGULATORY ACTION
(Pre-publication of Notice Statement)

Amend Section 180.1
Title 14, California Code of Regulations
Re: Spot Prawn Fishing

- I. Date of Initial Statement of Reasons: May 24, 2005
- II. Dates and Locations of Scheduled Hearings:
 - (a) Notice Hearing: Date: June 24, 2005
Location: Bishop, CA
 - (b) Adoption Hearing: Date: August 19, 2005
Location: San Luis Obispo, CA
- III. Description of Regulatory Action:
 - (a) Statement of Specific Purpose of Regulation Change and Factual Basis for Determining that Regulation Change is Reasonably Necessary:

Existing regulations establish the season structure and other requirements for the commercial spot prawn (*Pandalus platyceros*) fishery and authorize the types of fishing gear that may be used in the fishery.

Plastic or wire webbing has been used in the spot prawn fishery since the implementation of the current regulations in 1995. Under current regulations (Subsection 180.1(b), Title 14, CCR), spot prawn traps are required to be made with plastic or wire mesh only. Synthetic rope or twine woven into a web mesh is another material commonly used for prawn trap construction on the Pacific coast from Oregon to Alaska.

The proposed regulation change would remove the language referring to plastic and wire to allow for other materials to be used for web construction in spot prawn traps.

This proposed regulation change will not change current authorization on mesh size, trap limits, trap destruction devices, or season structure and will allow greater flexibility to the fishery while also meeting biological needs.
 - (b) Authority and Reference Sections from the Fish and Game Code for Regulation:

Authority: Sections 711 and 8591, Fish and Game Code

Reference: Sections 710.7, 711, 8140, 8590, 8591, 8593, 8594, 8595, 8842, 9000, 9001, 9004-9008 and 9015, Fish and Game Code.

(c) Specific Technology or Equipment Required by Regulatory Change:

None.

(d) Identification of Reports or Documents Supporting Regulation Change:

None

(e) Public Discussions of Proposed Regulations Prior to Notice Publication:

No public meetings are being held prior to the notice publication. The 45-day comment period provides adequate time for review of the proposed amendment.

IV. Description of Reasonable Alternatives to Regulatory Action:

(a) Alternatives to Regulation Change:

No alternatives were identified.

(b) No Change Alternative:

Advancements in prawn trap construction would not be allowed unless they were constructed from plastic or wire mesh.

(c) Consideration of Alternatives:

In view of the information currently possessed, no reasonable alternative considered would be more effective in carrying out the purposes for which the regulation is proposed, or would be as effective and less burdensome to affected private persons than the proposed regulation.

V. Mitigation Measures Required by Regulatory Action:

The proposed regulatory action will have no negative impact on the environment. Therefore, no mitigation is necessary.

VI. Impact of Regulatory Action:

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

(a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. The proposed action removes the language specifying only plastic and wire can be used for web material.

- (b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California: None

- (c) Cost Impacts on a Representative Private Person or Business:

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.

- (e) Other Nondiscretionary Costs/Savings to Local Agencies: None.

- (f) Programs Mandated on Local Agencies or School Districts: None

- (g) Costs Imposed to Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4: None.

- (h) Effect on Housing Costs: None.

Informative Digest/Policy Statement Overview

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